

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
FEBRUARY 12, 2015**

- 3. APPLICATION:** **Z14-010 (14335-00000-00134)**
Location: **4956 AVERY ROAD (43016)**, being 101.77± acres located on the east side of Avery Road, 2,935± feet north of Hayden Run Road (010-265649 plus 2 others).
Existing Zoning: R, Rural District.
Request: CPD, Commercial Planned Development and L-AR-1, Limited Apartment Residential Districts.
Proposed Use: Commercial and multi-unit residential development.
Applicant(s): DCR Commercial Development; c/o Laura MacGregor Comek; 300 East Broad Street, Suite 450; Columbus, OH 43215.
Property Owner(s): The Applicant.
Planner: Shannon Pine, 645-2208, spine@columbus.gov

BACKGROUND:

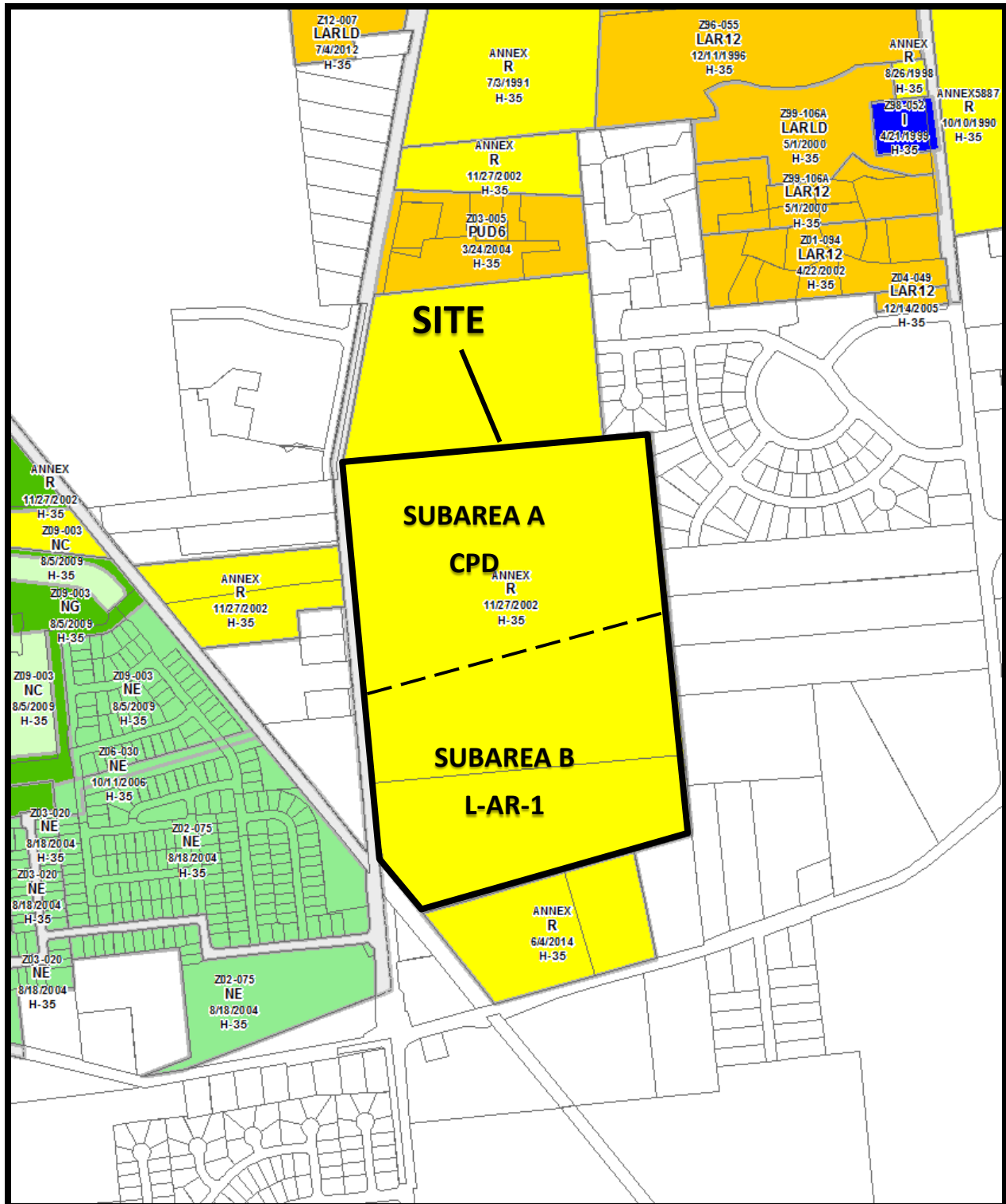
- o The 101.77± acre site is used for farming and is zoned in the R, Rural District. The applicant requests the CPD, Commercial Planned Development, and L-AR-1, Limited Apartment Residential Districts to allow mixed commercial and multi-unit residential development with up to 340,000 square feet of commercial development, 915 apartment units, and provides 8.34 acres of open space. Riggins Road is proposed to be extended from the east through the CPD district to connect to Avery Road. The original proposal included 6.32 acres immediately south of the site adjacent to Hayden Run Road for a CPD district to conform the existing tractor and farm equipment dealer/service facility. That acreage has been removed, and the applicant has agreed to keep the underlying R, Rural District on this property in response to comments from Staff.
- o To the north and east of the site is farmland in the R, Rural District and City of Hilliard, and a single-unit residential subdivision in the City of Hilliard. To the south are a tractor and farm equipment dealer/service facility and single-unit dwellings in the R, Rural District. To the west across Avery Road are single-unit dwellings and a mobile home park in Washington Township.
- o The development text includes use restrictions, square-footage limitations of commercial uses, maximum number of residential units, setback requirements, height limitations, building and parking orientation and interconnectivity provisions, landscaping, tree preservation, exterior building material commitments, and lighting and graphics controls. The proposal also includes plans depicting street and open space locations and landscaping details.
- o The site falls within the boundaries of the *Interim Hayden Run Corridor Plan* (2004), which calls for “Neighborhood Center,” “Community Commercial,” and “Community Center/School” uses on the site. The Plan recommends traditional neighborhood development (TND) standards for the neighborhood center areas, which are envisioned

as primarily multi-unit residential development. While use of TND zoning districts is not required, the underlying principles are important (connectivity, building orientation to street, placement of parking, etc.) and should be reflected in the proposal. A review of the revised proposal was conducted by Planning Division Staff in January (attached). The Recreation and Parks Department also has concerns on how the commercial, residential, recreational, transportation and open space requirements will be appropriately balanced for this already active part of the Columbus area. Revisions were submitted on February 5, 2015, but Staff from the various review agencies did not have time to evaluate the changes at the time this report was prepared.

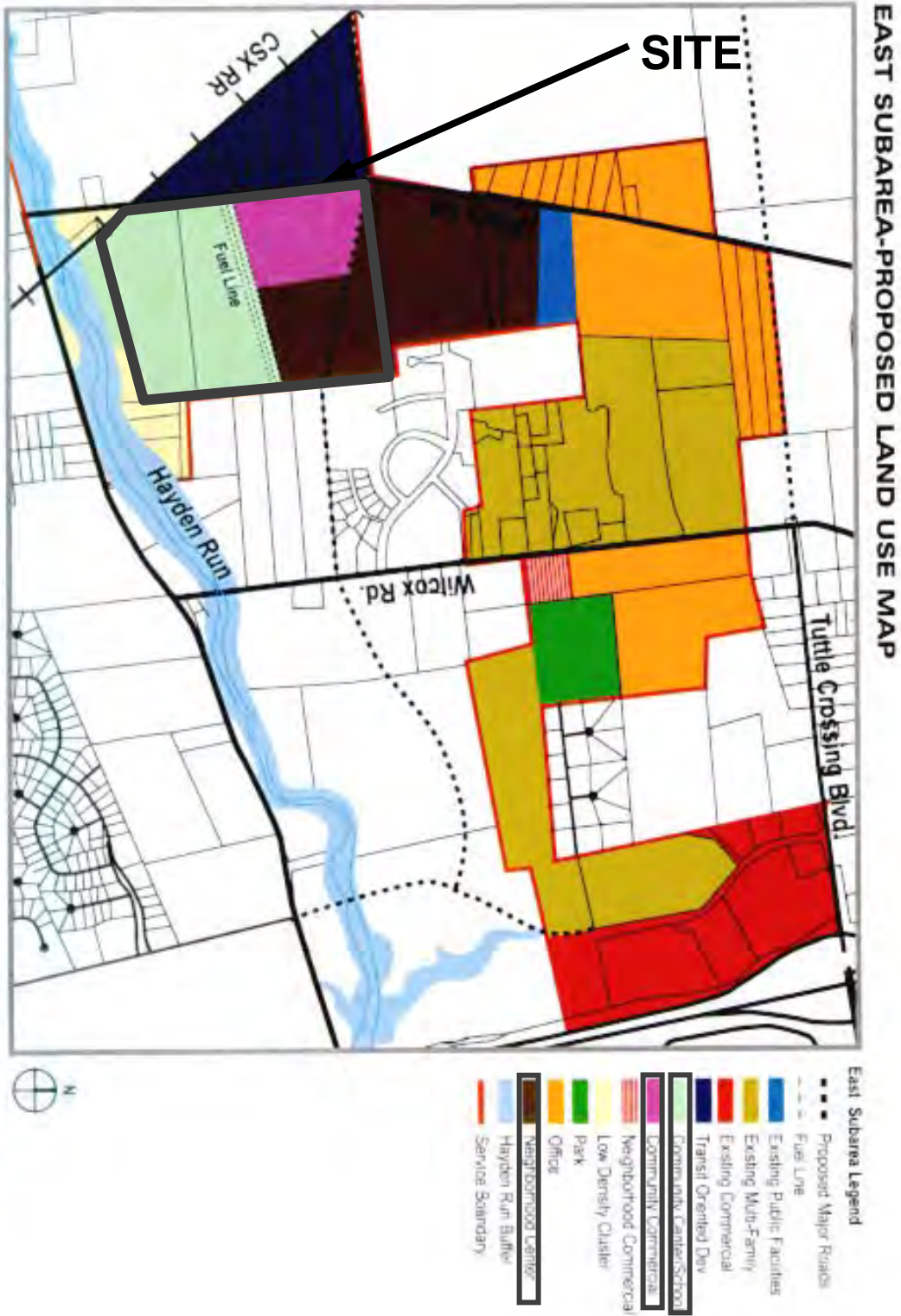
- o The site is included within the Pay as We Grow plan for the Northwest growth corridor which requires the developer to pay a specified amount towards infrastructure costs. The specifics of the funding requirements will need to be finalized prior to this application being submitted to City Council for consideration. A traffic impact study has been submitted and reviewed by several jurisdictions. Traffic commitments have been included in the proposal, but may need to be modified or added to the development text before the application proceeds to City Council. Negotiations related to the responsibilities of the applicant for off-site roadway improvements in conjunction with the Pay As We Grow requirements are continuing between the applicant, the Department of Public Service, and Department of Development.
- o The *Columbus Thoroughfare Plan* identifies Avery Road as a 6-2D arterial requiring 80 feet of right-of-way from the centerline, and Riggins Road as a 4-2D arterial requiring 60 feet of right-of-way from the centerline.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval.

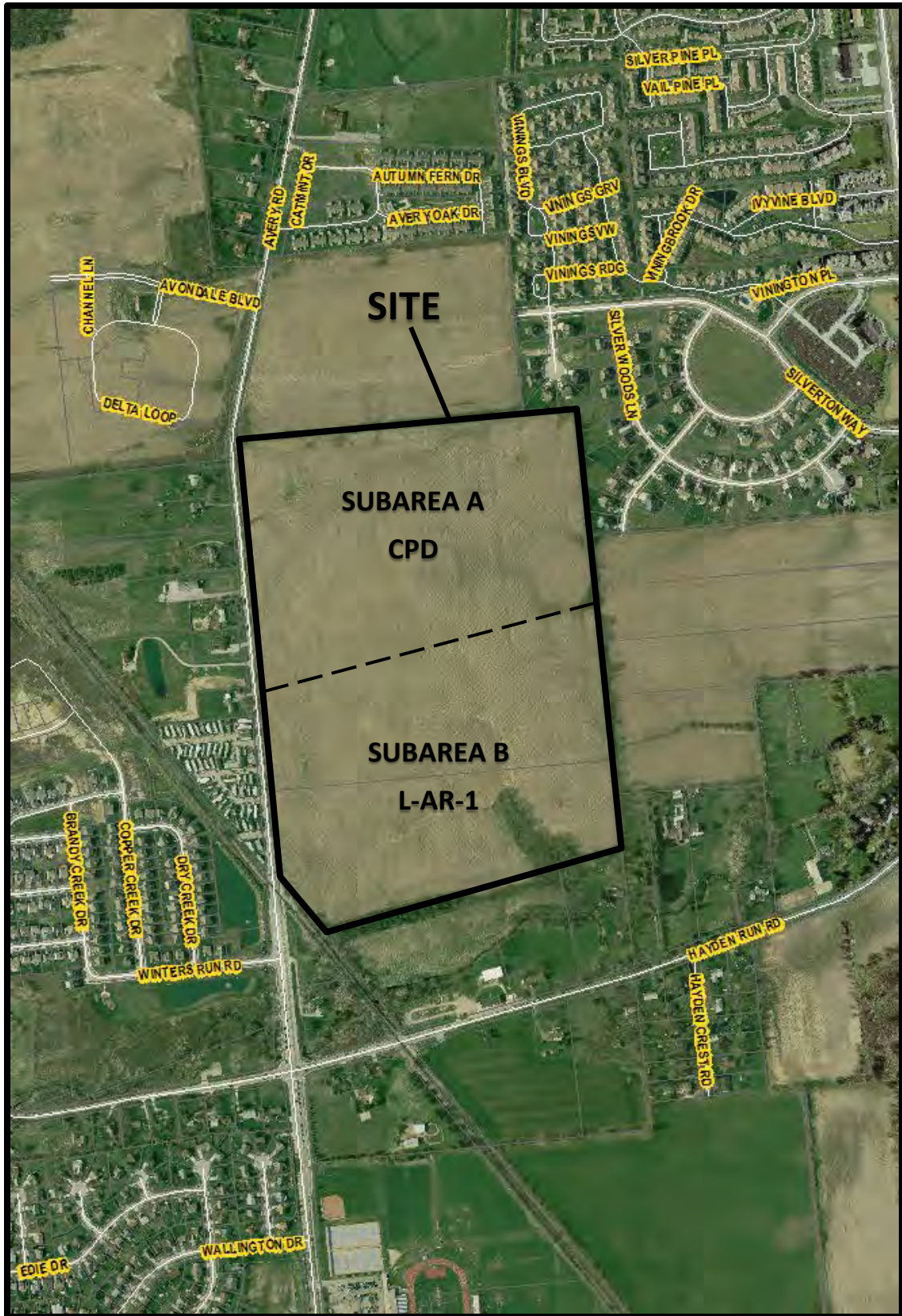
The proposed CPD, Commercial Planned Development, and L-AR-1, Limited Apartment Residential Districts will allow up to 340,000 square feet of commercial development, 915 apartment units, and provides 8.34 acres of open space. The development text includes use restrictions, square-footage limitations of commercial uses, maximum number of residential units, setback requirements, height limitations, building and parking orientation and interconnectivity provisions, landscaping, tree preservation, exterior building material commitments, and lighting and graphics controls. At the time this report was prepared, a number of issues had still not been resolved, and Staff from the various review agencies did not have time to evaluate the revisions that were submitted by the applicant on February 5, 2015. The applicant is continuing to address those issues, and the recommendation may change, but as long as outstanding issues remain, the City Departments' cannot support this proposal. Final traffic improvements and Pay As We Grow infrastructure fees for this proposal are still being completed, and additional commitments may be added to the development text prior to this application being submitted to City Council for consideration.



Z14-010
 4956 Avery Road
 Approximately 101.77 acres
 R to CPD & L-AR-1



Z14-010
 4956 Avery Road
 Approximately 101.77 acres
 R to CPD & L-AR-1



Z14-010
4956 Avery Road
Approximately 101.77 acres
R to CPD, &L-AR-1

DEVELOPMENT TEXT

Application: Z14-010
Address: 4956 Avery Road
Owner(s): Tim White, White Family Farm Ltd.
Applicant: DCR Commercial Development LLC
c/o Laura MacGregor Comek, Esq.
300 E. Broad St., Ste 450, Cols. Ohio 43215
Zoning Districts: CPD and LAR1
Date of Text: February 5, 2015

Introduction: This application is intended to rezone 101.77 +/- acres (the Site) located along Avery and Hayden Run Roads, of which 14.7 +/- acres was recently annexed to the City of Columbus. The current zoning for the entire area to be rezoned is R, Rural. This Site will include a significant regional improvement with the extension of proposed Hayden's Crossing Blvd. from Avery Road, through the Site and connecting with Riggins Road in the City of Hilliard. This road will be renamed Riggins Road and referred to as such throughout this text. The Site will also include a parkland dedication that preserves the Hayden Run Creek corridor as well as a 2 acre (minimum) neighborhood green focal point within sub area 2. The application incorporates a Site/CPD Plan and street/internal sections committed to herein.

Subarea 1: (CPD)

1. Introduction: The applicant seeks to rezone the 44.37 +/- acres in Subarea 1 for a concentration of commercial uses along the key corridor of proposed Hayden's Crossing Blvd.

2. Permitted Uses: The permitted uses for Subarea 1 shall be all uses allowed in Chapter 3356 (C-4) and 3357.01 (C-5) of the Columbus City Code excepting there from:

Automobile and Light Truck Dealers
Automotive Sales, Leasing and Rental
Community Food Pantry
Missions/Temporary Shelters
Motor Vehicle, Boat and Other Motor Vehicle Dealers
Outdoor Power Equipment Dealers
Pawn Brokers
Recreational Vehicle Dealers
Truck, Utility Trailer, and RV Sales, Rental and Leasing
Drive In Motion Picture Theatres
Farm Equipment and Supply Stores
Halfway House
No billboards shall be permitted

3. Development Standards: Except as otherwise noted herein or on the Site /CPD Plan incorporated herein, the applicable development standards of Chapter 3356 (C-4) shall apply to this site.

A. Density, Height, Lot, and/or Setback Commitments.

1. The building setback line shall be minimum twenty-five feet (25) from Avery Road or other publicly dedicated road, minimum twenty five (25) feet from proposed Riggins Road ten (10) feet from any side property line and ten (10) feet from any rear property line abutting commercially zoned or used property. Building awnings or canopies may extend 5' into the building setback line.
2. The parking setback line shall be minimum fifteen (15) feet from Avery Road or other publicly dedicated road, minimum fifteen (15) feet from proposed Riggins Road, five (5) feet from any side property line and five (5) feet from any rear property line abutting commercially zoned or used property.
3. The building and parking setbacks shall be minimum twenty-five (25) feet from any residentially zoned property.
4. Notwithstanding the foregoing paragraphs, no building or parking setback shall be required from any property line that is created within and internal to the total site such that the parcel created continues to function as part of the overall site.
5. Where possible, outlots will be designed to promote parking to the side and rear of structures. This will be largely dependent on the end user of each outlot and their building design criteria.
6. Maximum height of buildings shall be 35 feet.
7. There shall be a maximum commercial square footage of 340,000.
8. The entrance road to this sub area 1, from Riggins Rd., depicted as site access E on the CPD/Site Plan, will pass through sub area 1 and connect to the main road/access in sub area 2 and eventually Avery Rd. at site access A. This road shall be public and shall be planted with street trees on both sides of the street, per the internal street section shown on page 2 of the CPD/Site Plan.

B. Access, Loading, Parking and/or Other Traffic Related Commitments.

1. Access shall be as depicted generally on the attached Site /CPD Plan.
2. The exact location access points may be modified subject to the review and approval of the City's Department of Public Service without rezoning. The Site /CPD Plan may be modified without rezoning to accommodate such final decisions.

3. Internal drive aisles may be developed without regard to interior parcel lines, such that the parcels function seamlessly as part of the overall site. Cross access easements will be provided.

C. Buffering, Landscaping, Open Space and/or Screening Commitments.

1. Any loading area located within twenty five (25) feet of a residentially zoned property used for residential purposes shall be screened from such residential property by buildings or view-obscuring treatment such as landscaped mounds, a wall or fence, dense planting, strips of trees or shrubs, or a combination thereof so as to achieve a minimum height of 6' high and an opacity of not less than seventy five percent (75%). All such view-obscuring measures shall be maintained in good condition and appearance by the owner of the property containing such freight loading area at all times.

2. All open areas on each developed parcel not occupied by buildings, structures, outside display areas, parking areas, street right-of-way paved areas, driveways, signs, walkways and off-street loading areas shall be landscaped with lawns, grasses, mulch, trees or shrubs.

3. The frontage along Avery Road shall include street trees spaced one per 40 feet. In addition, there shall be a minimum 2-foot high earth mound, which may undulate, and shall additional plantings of 3 ornamental trees and 2 deciduous trees for every 100 feet of frontage, which trees may be evenly spaced or grouped, consistent with the Avery Road typical section on page 2 of the CPD/Site Plan. Vehicular access points along Avery Road, site access A and B, shall include shrubs and seasonal plantings.

4. The frontage along Riggins Road shall be landscaped with one street tree spaced per 40 feet of frontage and 2 deciduous and 2 ornamental trees per 100 feet of frontage.

5. Within the 25 foot setback described in Section 3A(3) above as relates to abutting residentially zoned and used property, there shall be a 6 foot board on board fence installed at 20 feet from the property line. Landscaping shall be planted outside the fence, within the setback. Landscaping shall include evergreen trees forty feet on center. The remaining setback area to be mulched or grass seeded.

D. Building Design and/or Interior-Exterior Treatment Commitments.

1. It is the intention of the Developer to create a cohesive town center appearance for this sub area 1. In doing so, the appearance and architecture shall be consistent and compatible throughout. Building materials shall be primarily of brick, brick veneer or stone or stucco stone, metal, glass, stucco, synthetic stucco (EIFS), wood and glass. No exposed painted concrete block shall be permitted. Commercial decorative finish to block may be used for the sides and rear of buildings, not fronting to streets.

2. Exterior appearance of all structures within the sub-area shall have the same or a similar, compatible architectural appearance. Signature architectural features shall be designed and thereafter be carried through and into the design of buildings, structure and signage within this sub-area and may include, but would not be limited to gables, pitched roofs, columns, piers, arches, etc.

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. Light poles and lights shall be black, dark brown or bronze in color and coordinated with the overall architectural scheme for the sub-area.
2. Light poles within 50 feet of a residentially zoned property shall be limited to 14 feet in height.

F. Graphics and/or Signage Commitments.

1. The Developer may submit a graphics plan for part or all of this development. If no graphics plan is submitted, all signage and graphics shall conform to Article 15, Title 33 of the Columbus City Code as it applies to the CPD zoning district and the design standards set forth in this text. Any variance to the standards of this text or Columbus City Code shall be submitted to the Columbus Graphics Commission.
2. No billboards shall be permitted
3. The exterior appearance of signage bases and / or framing shall be compatible with the architecture of the buildings and structures within the sub-area to create a cohesive appearance throughout the sub area.
4. Three monument ground signs (2 long along Riggins Road, 1 for Avery Rd.) shall be permitted for the commercial shopping center south of Hayden's Crossing Blvd. Outparcels and commercial development north of Riggins Road may have code permitted signage consistent with the design standards set forth herein (ie., shall have ground signs with same or substantially similar base materials).
5. All signs shall be internally illuminated or externally illuminated if focused only on the sign. Ground mounted external illumination, if used, shall be screened with landscaping.
6. No pole signs shall be permitted.

G. Miscellaneous Commitments.

1. There shall be multiple points of pedestrian connectivity to/among other subareas and to the public right of way/sidewalks. There shall be an interconnected system of paths and sidewalks throughout the development. Where provided, such pedestrian

connections shall be a minimum of 5 feet in width. Sidewalks and or multi use paths shall be provided on both sides of all public and private streets (not alleys or drive aisles), also minimum 5 feet in width. Where pedestrian paths and sidewalks cross internal drive aisles or streets, striped cross walks shall be provided. Final locations of all aisles, paths, sidewalks and roads/alleys, etc., to be determined at the time of final engineering.

2. Vehicular connectivity shall be provided between this subarea 1 and the adjacent subarea 2, as shown on the Site /CPD Plan.

3. The developer shall comply with the parkland dedication ordinance.

4. All reasonable efforts and best engineer/landscape practices will be made to protect environmentally sensitive areas.

5. All new wiring shall be underground.

6. The proposed development shall be developed in general conformance with the submitted Site /CPD Plan. The plan may be adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Streets are schematic and subject to change. Any adjustment to the Site /CPD Plan shall be reviewed and may be approved by the Director of the Department of Building & Zoning Services or his designee upon submission of the appropriate data regarding the proposed adjustment.

H. Other CPD Requirements

- Public
1. Natural Environment: The property is located along Avery Road (the Site's west boundary) and north of Hayden Run Road.
 2. Existing Land Use: The property currently is agricultural.
 3. Circulation: All access for the Site will be approved by the City of Columbus, Service Department.
 4. Visibility: Consideration has been given to the visibility and safety of the motorists and pedestrians as both on and off the subject property in the development of this site.
 6. Proposed Development: Commercial development.
 7. Behavior Patterns: Significant residential development in the area has brought about the need for commercial uses to service the existing residential population.
 8. Emissions: No adverse affect from emissions should result from the proposed development.

I. Variances Requested:

The following variances are requested to permit the existing conditions of the Site to remain once the property is rezoned to CPD. Upon any redevelopment or expansion, the Site shall be required to conform to City code requirements in effect at that time.

1. Variance from C.C.C. §3312.27(4) to allow fifteen (15) foot parking set back and C.C.C. §3356.11 to allow twenty-five (25) foot building set back.
2. Variance from C.C.C. §3312.25 to allow internal drive aisles to developed without regard to interior parcel lines.

Additional variances may be requested from the City of Columbus Board of Zoning Adjustment.

Subarea 2: (57.4 +/- ac L-AR1)

1. Introduction: The applicant is proposing multi-family development and significant parkland dedication area that preserves the natural features of the land and includes many traditional neighborhood design elements.

2. Permitted Uses: Those uses permitted in Section 3333.02 (1), (2), (3), (4), (5), (9) and (10), AR1, Apartment Residential, of the Columbus City Code. There shall be a maximum 915 residential units within this sub area.

3. Development Standards: Unless otherwise indicated the applicable development standards are contained in Chapter 3333 (Apartment Districts) of the Columbus City Code. Variances may be obtained to vary the style or type of housing proposed for future development.

A. Density, Height, Lot and/or Setback Requirements

1. There shall be no parking spaces in front of the building setback along Avery Rd.
2. Height District shall be limited to 50 feet and a 25 foot perimeter yard to be observed as depicted on the Site Plan.
3. Buildings constructed within 100 feet of adjacent single family homes shall not exceed 3 stories/35 feet in height.
4. All Buildings shall have a front or side façade to streets and parks within the sub area. Parking for the residential units will be located to the side and rear of buildings where possible /feasible.
5. All buildings adjacent to the two (2) acre neighborhood green shall front the public street surrounding the green.

6. The CPD/Site plan depicts a dotted line to delineate sub areas 2a and 2b for purposes of managing overall multi family residential units. It is the intention with this line to generally depict the areas intended for greater density (north) versus lesser density (south). This line may be adjusted slightly to reflect final engineering, but in no event shall the total density exceed 915 units total, with the internal sub areas limited as show on the plan.

B. Access, Loading, Parking and/or Traffic Related Commitments

1. Access shall be as shown on the Site /CPD Plan. The exact location access points may be modified subject to the review and approval of the City's Department of Public Service without rezoning.
2. The Site may be subdivided and drive aisles may be constructed without regard to parcel lines. Cross access easements shall be provided.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. The frontage along Avery Road shall include street trees spaced one per 40 feet. In addition, there shall be a minimum 2-foot high earth mound, which may undulate, and shall additional plantings of 3 ornamental trees and 2 deciduous trees for every 100 feet of frontage, which trees may be evenly spaced or grouped, consistent with the Avery Road typical section on page 2 of the CPD/Site Plan.. Vehicular access points (site access A and B) along Avery Road shall include shrubs and seasonal plantings.
2. The entrance road to this subarea 2 is from Avery Rd., and shown as site access A. This entrance road shall be public and shall connect to the access to sub area 1 and Riggins Road at site access E, as depicted on the CPD/Site Plan. This public road shall be planted with street trees on both sides of the street, 1 per 40 feet, consistent with the internal street section shown on page 2 of the CPD/Site Plan which includes sidewalk and multi-use path shown thereon.
- 3 In addition to the commitment above in Section C2, there shall be street trees planted along the park side of the street that is planned to surround the 2 acre civic green, , consistent with the internal street section shown on page 2 of the CPD/Site Plan.
3. Prior to clearing out shrub or dead/decaying tree or underbrush/growth or grading within the existing tree cluster located generally in the south/south-east portion of this sub area, the developer will consult with an arborist for the purpose making a reasonable effort to preserve tree roots/systems and preserving large and healthy trees.

D. Building Design and/or Interior-Exterior Treatment Commitments

1. Building materials shall be primarily of brick, brick veneer or stone or stucco stone, metal, glass, stucco, synthetic stucco (EIFS), wood, glass and vinyl siding. No exposed painted concrete block shall be permitted.
2. Detached garages shall have a pitched roof (minimum pitch 3/12)
3. Buildings will be oriented to front (or have front-like facades) toward Avery and the parkland dedication area to the south.
4. Buildings shall be oriented to front the neighborhood green, and or front to the street(s) that abut/access the green.
5. Building roof pitch shall be 7:12 for gables on the primary elevation facing the street; all other building roof pitches shall be 5:12. The development shall use dimensional shingles (where shingles are utilized) or wood, slate, synthetic slate, or metal.

E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments

N/A

F. Graphics and Signage Commitments

N/A

G. Miscellaneous

1. The site may have gated interior access points.
2. All new sidewalks shall be a minimum of five feet in width.
2. The applicant shall meet the City's Parkland Dedication ordinance.
3. Connectivity between land uses and subareas is emphasized with an interconnected system of pedestrian paths, bike paths and/or sidewalks that allow for pedestrian or bicycle access to the sub area to the north, the parkland dedication area shown on the Site Plan and stubs for future connectivity to undeveloped property to the east. Where provided, such pedestrian connections shall be a minimum of 5 feet in width. Sidewalks shall be provided on both sides of all public and private streets (not alleys or drive aisles), also minimum 5 feet in width. Where pedestrian paths and sidewalks cross internal drive aisles or streets, striped cross walks shall be provided. Final locations of all aisles, paths, sidewalks and roads/alleys, etc., to be determined at the time of final engineering.
4. As depicted on the attached CPD/Site Plan, there shall be a main public road that runs between site access A from Avery Road and site access E along new Riggins Rd. The paths, sidewalks and street trees along this public road (including the 2 acre neighborhood green) shall be as shown on the internal street section shown on page 2 of the CPD/Site Plan.

5. All new wiring shall be underground.

6. There shall be a centrally located civic space (currently depicted as a neighborhood green). the terminus of the entry road for the sub area. Final design and location are subject to final engineering and traffic approval, but in no event shall the park be less than 2 acres.

7. There shall be at least one club house/amenity building for the development located within sub area 2.

Development Traffic Commitments

The Applicant has submitted and the City has reviewed a traffic impact study (TIS) for the proposed development. As a result of that TIS, the following commitments are hereby incorporated in the development:

1. For the proposed full access point to Avery Road, site access A, the City of Columbus, Department of Public Service will not permit a signal installation at this location. If conditions would develop such that a signal may be warranted or delays for the westbound left turn movement would become unreasonably excessive, the developer agrees that the only means to mitigate either of these conditions would be to restrict the westbound left turn movement.
2. For the access points on Riggins Road at the proposed right in/left in/ right out access point, site access E, the current plan is for these points to be restricted. If however, in the future, the developer or his/her designee provides a sight distance exhibit that verifies adequate sight distance would be available to the east to permit the southbound left turn movement, these access points will be permitted to operate as full access driveways. In the event that the access points C and E, are permitted to operate as full access driveways, the City reserves the right to restrict the northbound left turn movement, southbound left turn movement and/or the eastbound left turn movement if a documented accident pattern of safety issue were to occur due to any such left turning movements at this intersection. The adjacent property owners would not be entitled to compensation for the limitations described in the previous sentence. In addition, the City will not support a future signal installation at these access points C and E.
3. The developer will provide a public stub street to be constructed north of the signalized access point, site access D, from Riggins Rd to the northern boundary of Subarea 1 to connect to a potential future public street connection through the property to the north of Subarea 1.
4. Since the specific layout for development of Subarea 2 is undefined at this time, the developer commits to providing all areas of Subarea 2 with either public street access, as approved by the City of Columbus, Department of Public Service, or cross access easements, such that all areas of development will have access to both Riggins Road and Avery Road.
5. The property owner will enter into a traffic control devices contract with the City of Columbus for the proposed signal installation on Riggins Rd. at site access D.

6. A cross access easement shall be granted to provide access from the right-in/right-out/left-in access point on Riggins Rd. (site access E) to future development to the east in the City of Hilliard. The exact location of this cross access easement shall be reviewed and approved by the City of Columbus, Department of Public Service and the City of Hilliard and shall be provided at the time of submittal of a final site compliance plan.
7. At the proposed full access point to Avery Rd., site access A, the developer shall install a southbound left turn lane with a length of 275' (includes diverging taper) and a northbound right turn lane with a length of 175' (includes diverging taper).
8. At the proposed right-in/right-out access to Avery Rd., site access B, the developer shall install a northbound right turn lane with a length of 225' (includes diverging taper).
9. At the proposed full access point along Riggins Rd., site access D, the developer shall install an eastbound left turn lane with a length of 375' (includes diverging taper) and a westbound left turn lane with a length of 475' (includes diverging taper). If these turn lanes will be built as part of Franklin County's road construction project, the developer need only restripe these turn lanes.
10. Upon development of approximately 90,000 sq. ft. of a supermarket use, approximately 70,000 sq. ft. of shopping center uses or a reasonable combination of the supermarket and shopping center uses, the developer shall be responsible for the installation of a traffic signal at the proposed full access point to Riggins Rd., labeled as site access D. If 90,000 sq. ft. of a supermarket use or approximately 70,000 sq. ft. of shopping center uses or a reasonable combination of the supermarket and shopping center uses are built and occupied and the required traffic signal described above has not been installed and put into operation, no additional site compliance plan shall be approved by the Department of Public Service within Subarea 1.
11. At the proposed right-in/right-out access point to Riggins Rd., site access C the developer shall install an eastbound right turn lane with a length of 290' (includes diverging taper) If these turn lanes will be built as part of Franklin County's road construction project, the developer need only restripe these turn lanes.
12. At the proposed right-in/left-in/right-out access point to Riggins Rd., site access E, the developer shall install an eastbound right turn lane with a length of 225' (includes diverging taper) and a westbound left turn lane with a length of 265' (includes diverging taper). If these turn lanes will be built as part of Franklin County's road construction project, the developer need only restripe these turn lanes.
13. If a road construction project would be initiated that would include the turn lane installations (including striping) described in Items 7 and 8, a fee in lieu of construction or waiver of these requirements may be approved by the Department of Public Service.

The undersigned, being the agent for the owner of the subject property together with the applicant in the subject application, does hereby agree on behalf of the owner and the applicant, singularly and collectively for themselves, their successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that

none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code.

Respectfully Submitted,

Laura MacGregor Comek, Esq.

PUD-6

R-5

R-5

R-SR

R-SR

R

R-SR

NC

NE

R-1

SUBAREA 1
CPD
±44.37 AC.

SUBAREA 2
L-AR-1
±57.4 AC.
±915 DU'S
(±15.94 DU/AC MAX)

SUBAREA 2A
±30.0 AC.
±660 Du's (MAX)
±22 Du/Ac.

PROPOSED
± 2.0 ACRE
NEIGHBORHOOD
GREEN

SUBAREA 2B
±17.0 AC.
±255 Du's (MAX)
±15 Du/Ac.

POTENTIAL
PARKLAND
DEDICATION
±8.34 AC.
(AREA INCLUDED
IN SUBAREA 2)

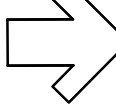
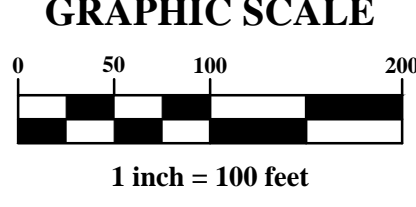
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VICINITY MAP
NO SCALE

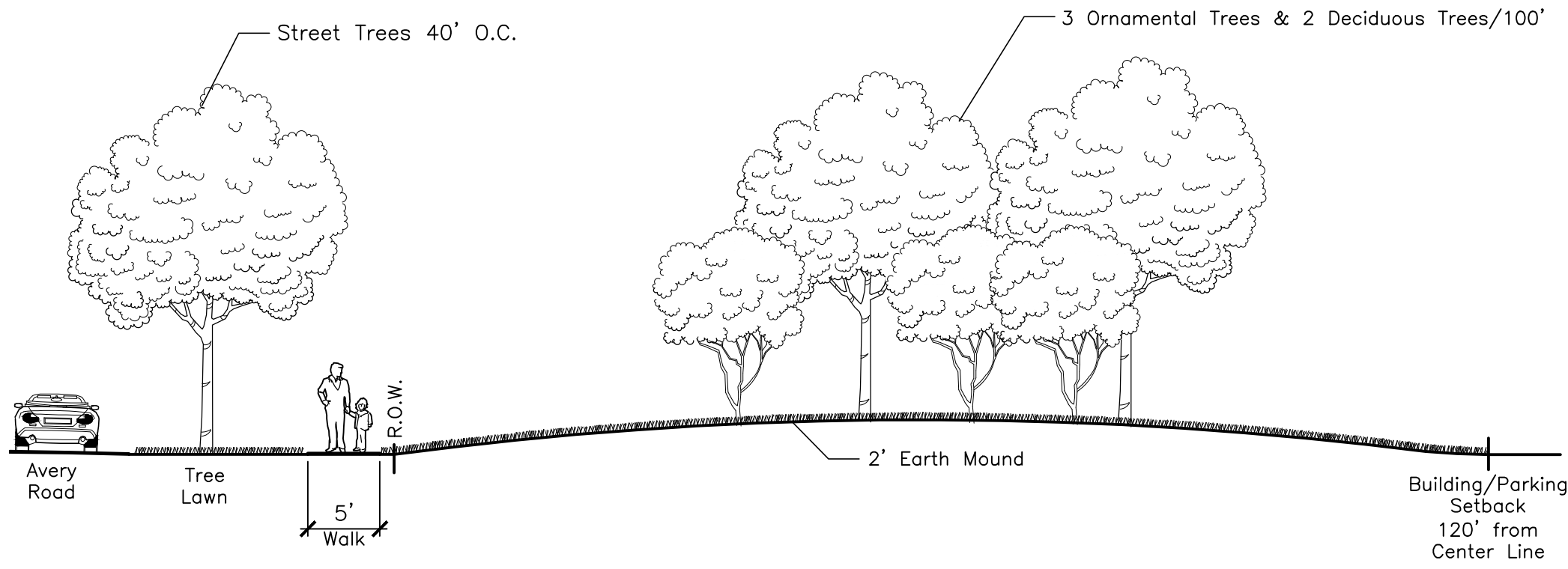
CITY OF COLUMBUS
SITE PLAN
FOR
WHITE FAMILY FARM
AVERY ROAD
ZONING PLAN

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

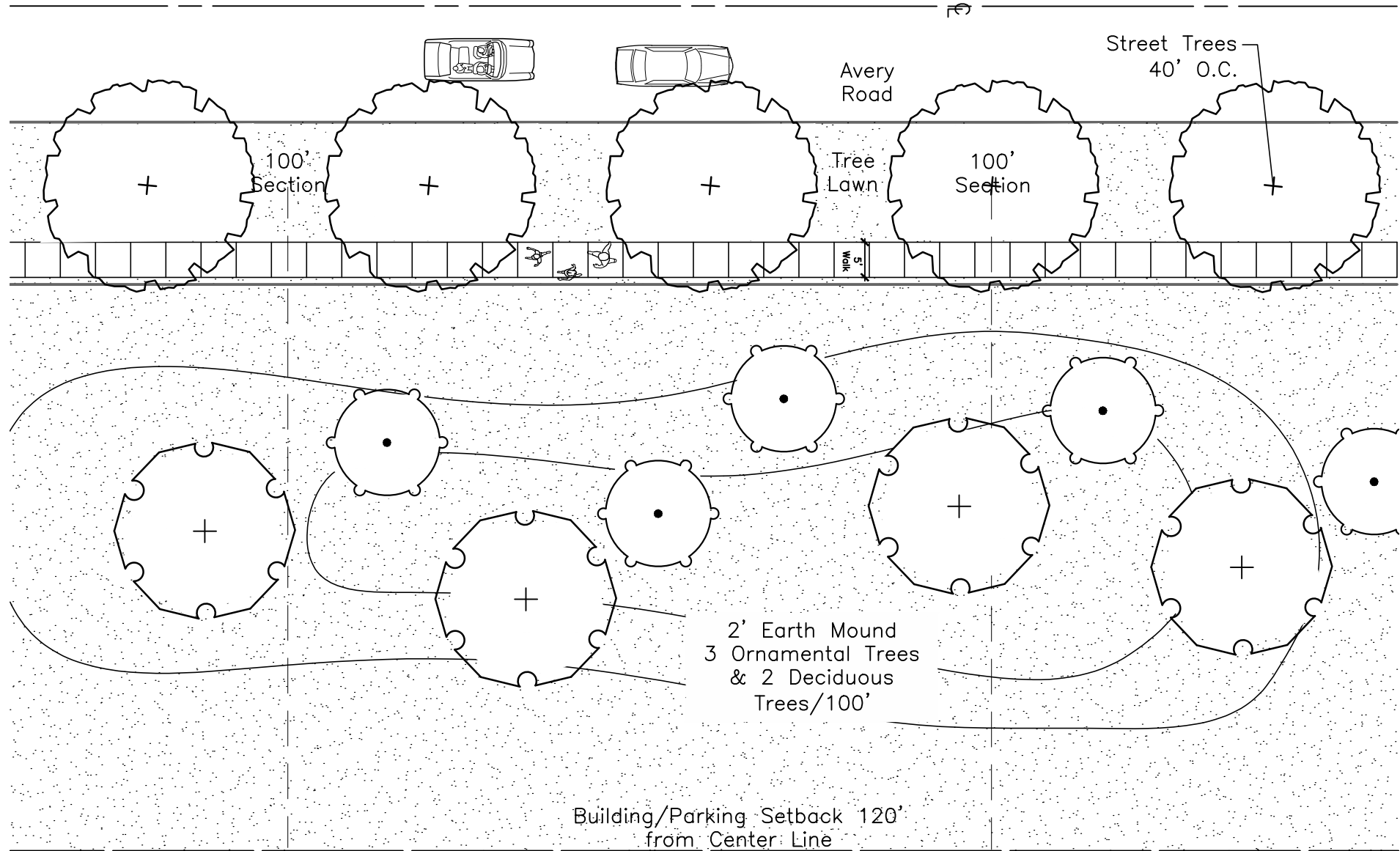
DATE: February 5, 2015
SCALE: 1" = 100'
JOB NO.: 2012-1110
SHEET: 1 of 2



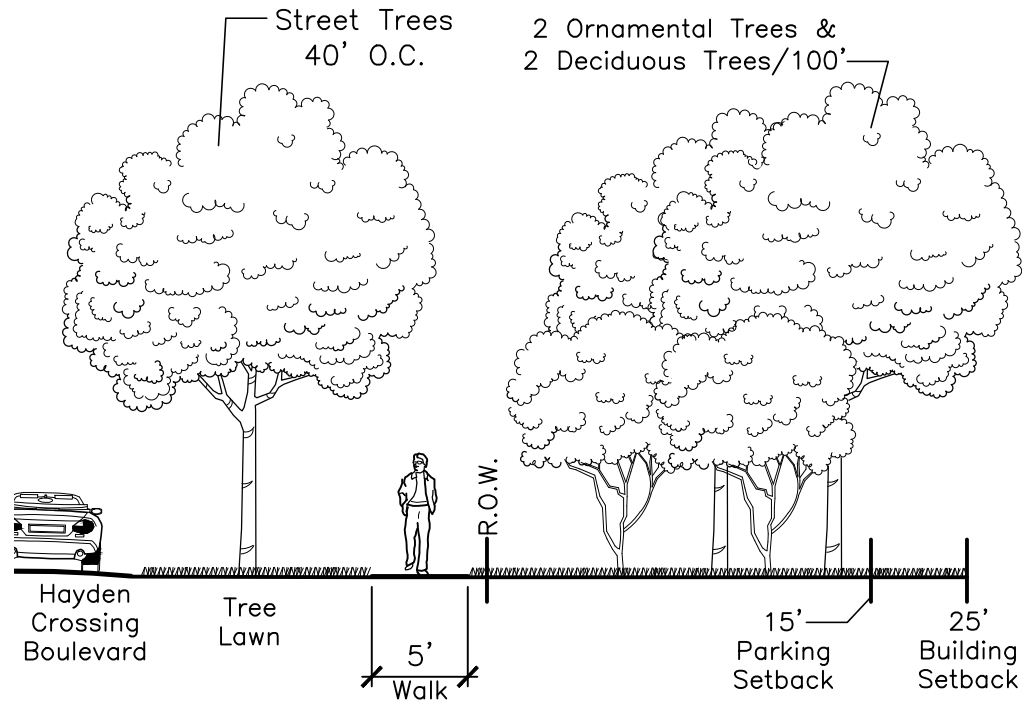
ACCESS POINTS AS SHOWN ARE
CONCEPTUAL LOCATIONS AND
WILL BE CONFIRMED AT TIME OF
FINAL ENGINEERING.



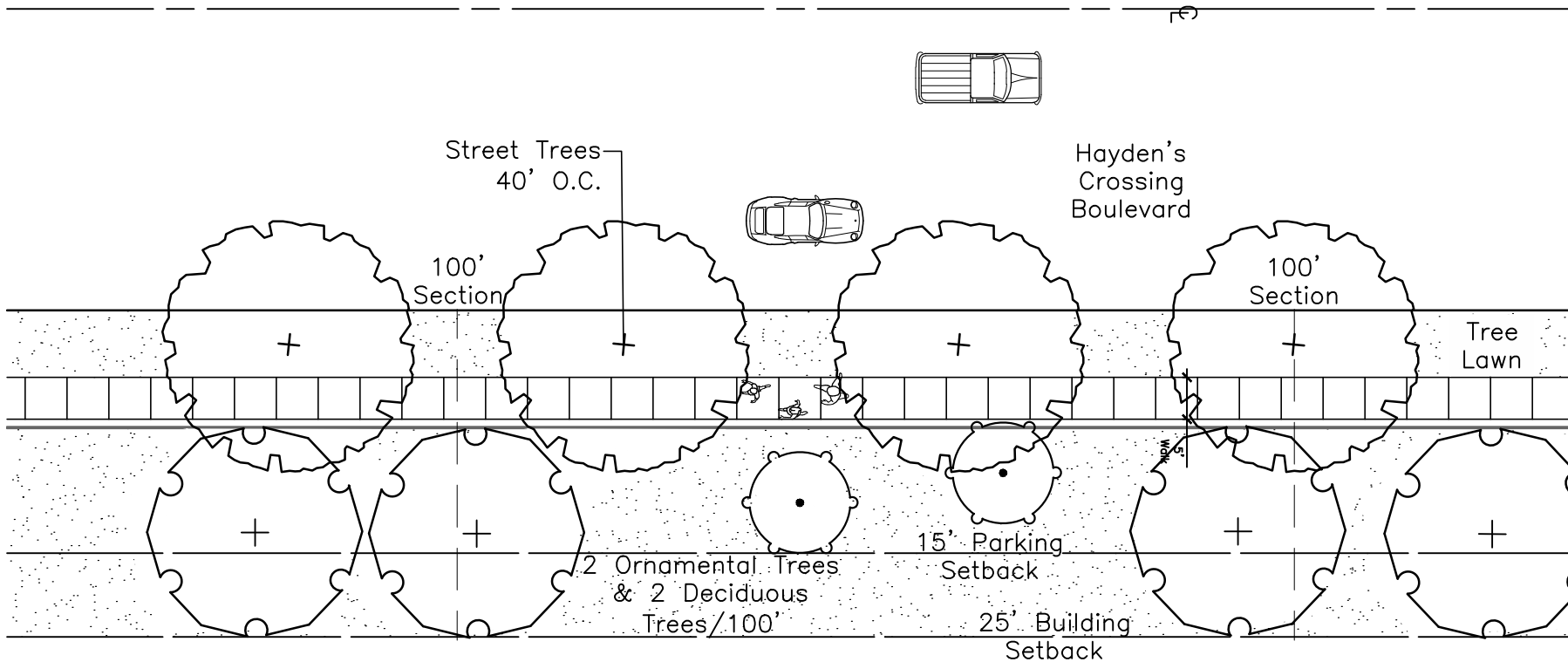
Typical Avery Road Section
Scale: 1"=10'



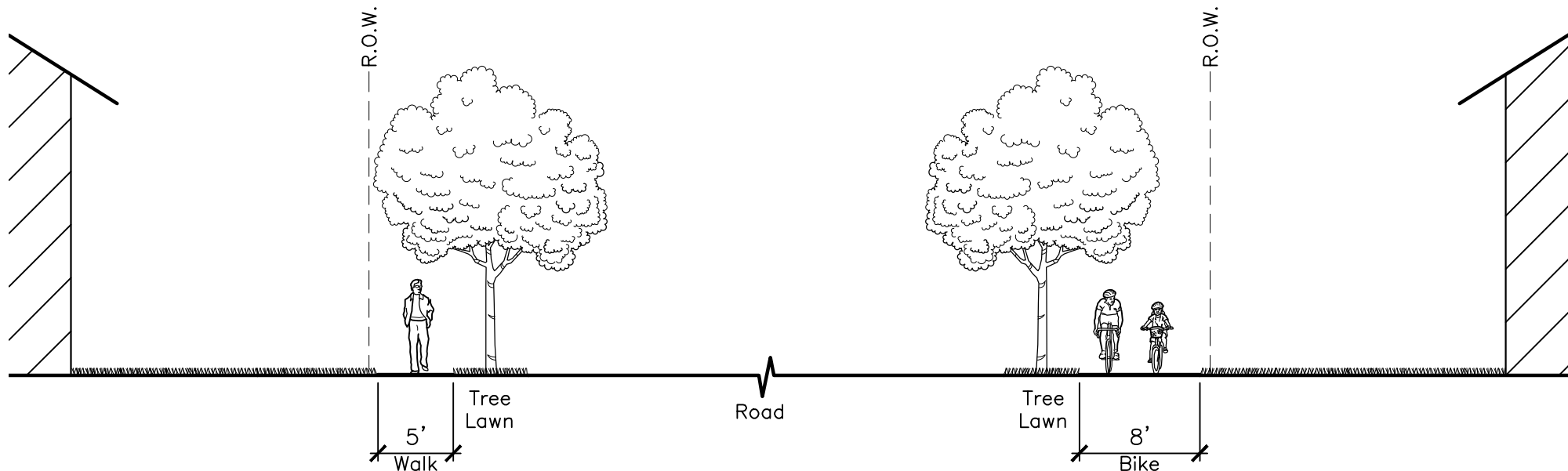
Typical Avery Road Plan
Scale: 1"=20'



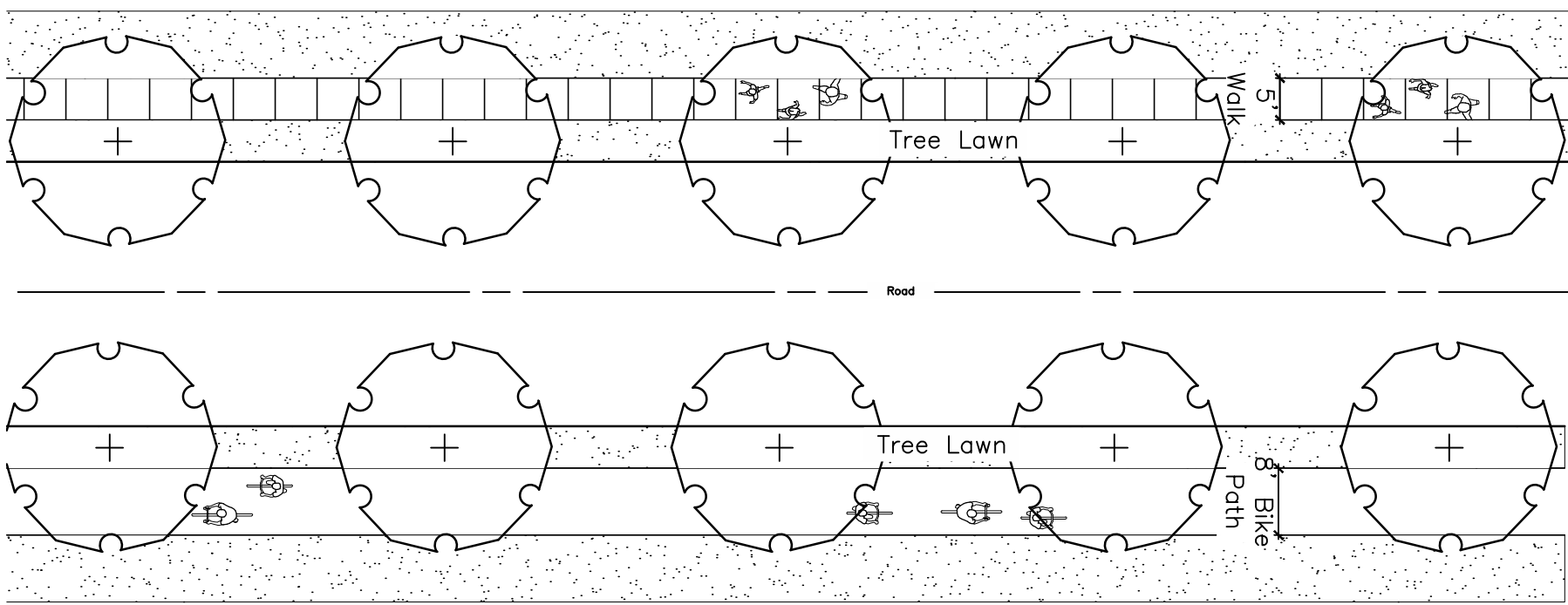
Typical Hayden's Crossing Boulevard Section
Scale: 1"=10'



Typical Hayden's Crossing Boulevard Plan
Scale: 1"=20'



Internal Public Street Section
Not to scale



Internal Public Street Plan
Not to scale

CITY OF COLUMBUS
SITE PLAN
FOR
WHITE FAMILY FARM
AVERY ROAD
ZONING PLAN

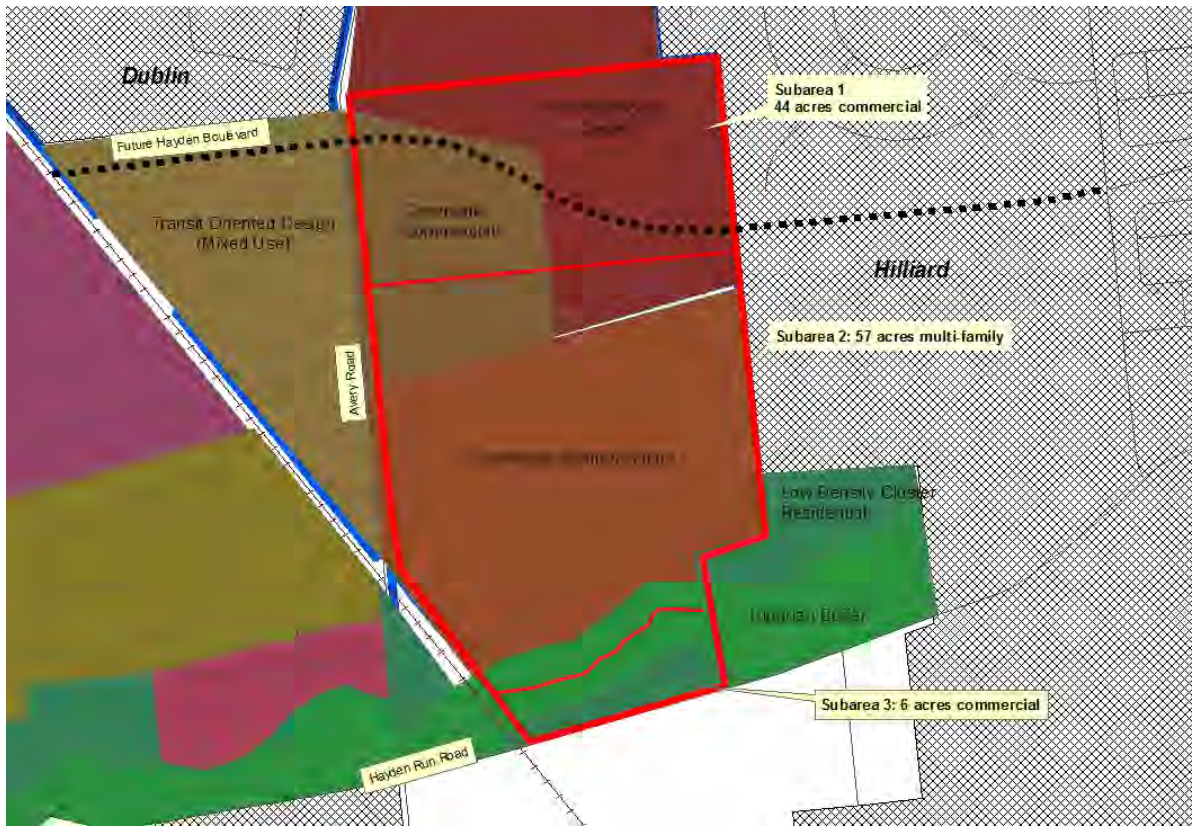
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DATE: February 5, 2015
SCALE: As Noted
JOB NO.: 2012-1110
SHEET: 2 of 2

Z14-010, 4956 Avery Road – Staff Review (January 12, 2015 Update)

The Development Department does not support the application as submitted. While some modifications have been made since the initial submission, the proposal still departs from the 2004 Interim Hayden Run Plan in a number of key areas. In some cases, development text addresses plan issues, but is not specific or enforceable. Staff prepared a checklist that goes in to further detail, however the following broader issues are identified here for consideration:

- While the land use composition is generally comparable, the proposed configuration would allow for more development at greater intensity than envisioned in the plan. It would allow up to 1,200 residential units and several hundred thousand square feet of commercial uses. At 21 du/acre gross, the proposed residential density is substantially higher than existing multi-family in the area.
- While staff supports the continued operation of the agricultural equipment business in subarea 3, staff doesn't support the establishment of a general commercial designation at this location.
- The plan calls for use of traditional neighborhood development (TND) standards for the neighborhood center areas, which are envisioned as primarily multi-family. While use of TND zoning districts is not required, the underlying principles are important (connectivity, building orientation to street, placement of parking, etc.) and should be reflected in the proposal. Staff requests a site plan that provides adequate detail and commitments to evaluate such issues. The plan should depict primary internal circulation patterns, open space, general building areas, relationship to adjacent residential, etc.
- Staff notes that only one vehicular connection is depicted between subareas 1 and 2, with an additional ped/bike connection. Given the plan's emphasis on connectivity and the scale/nature of development, staff considers this inadequate.
- The Hayden Run Plan calls for submission of a landscaping plan. The updated text/illustrations do depict landscaping along Hayden Run Boulevard and Avery Road (15' setback), but no information is provided for the balance of the development.
- Aspects of the limitation text are inconsistent with plan development standards in that they conflict (e.g. height district, sign size and height) or do not fully address plan provisions (e.g. orientation of parking and building frontages along roadways).
- The updated subarea map and development text commit to an approximately 2 acre neighborhood green with a location to be determined. While this is a positive change, it lacks clarity regarding location and relationship to broader subarea.
- Staff requests clarification regarding permissible uses within the proposed green, potential parkland dedication area and Hayden Run buffer. Will stormwater management or other improvements be permitted? Staff notes a roughly 1.5 acre area of mature trees at the southeast corner of subarea 2. Will this be preserved?
- Staff notes the Hayden Run Stream protective buffer, however requests that it be increased on the western portion of subarea 3 in consideration of the plan's guidance.
- The image provided below shows the proposed rezoning's subareas along with the Interim Hayden Run Corridor Plan's proposed land uses:



Interim Hayden Run Corridor Plan recommendations:

This 108 acre site is located within the boundaries of the 2004 Interim Hayden Run Corridor Plan. The plan's recommended land use for the subject site includes a combination of neighborhood center, community commercial, community center/school, riparian buffer and low-density cluster residential. The plan also includes additional detail regarding each of the recommended land uses as well as a series of development standards.

Land Use Comparison:

The biggest departures of the current proposal from the plan recommendations are the area designated in the plan for community center/school and subarea 3 along Hayden Run Road. The application depicts this as high density multi-family. The community center/school recommendation was made in conjunction with a potential transit station to the west and the surrounding development. It was also predicated on public acquisition, which has not happened.

The proposal also designates all the land between Hayden Run Stream and Hayden Run Road as commercial, whereas the plan depicts it as riparian buffer and low-density cluster development.

Z14-010 – Subarea 1 (44 acres CPD)

Land Use – While the plan recommends community commercial in this area, the proposal would bring more acreage in a different configuration. Most of the additional area is the eastward extension of the commercial along Hayden Crossing and adjacent to single-family development in Hilliard.

Development Standards – Staff has the following requests in relationship to the plan's recommended development standards:

- Some form of interior site plan depicting primary circulation patterns, open space, general building envelopes, relationship to adjacent residential, is needed etc.
- Greater setback along Avery Road and Hayden Crossing (proposal is 15' parking in each case)
- Commitment to minimize parking between buildings and road frontages.
- Commitment not to back buildings to Avery/Hayden Crossing
- Eliminate 60' height district request.

Signs: Will review upon submission of graphics plan.

Lighting: Commit to coordinated lighting fixture type/design.

Landscaping: Submit landscaping plan(s) with emphasis on:

- Perimeter screening
- Buffering of adjacent residential
- Further discussion regarding screening of outdoor storage and loading areas.
- Increased Avery Road/Hayden Crossing setbacks

Z14-010 – Subarea 2 (57 acres LAR-1 with 7 acre parkland dedication).

Land Use – While the plan recommends neighborhood center in this general area, the proposal would bring far more acreage in a different configuration. Most of the inconsistency is in the southern area where the plan recommends community center/park.

General Development Standards: The plan recommends TND standards for the neighborhood center. While that does not require TND districts, TND principles should be incorporated. The review below considers the site in the absence of that provision.

- Some form of interior site plan depicting primary circulation patterns, open space, general building envelopes, relationship to adjacent residential, etc.
- Greater setback along Avery Road and Hayden Crossing (proposal is 15' parking in each case)
- Commitment regarding parking in relationship to buildings/road
- Commitment not to back buildings to Avery/Hayden Crossing
- Eliminate 60' height district request.
- Clarify intent on “potential” parkland.

Signs: Not addressed.

Lighting: Commit to coordinated lighting fixture type/design.

Landscaping: Submit landscaping plan(s) with emphasis on:

- Perimeter screening
- Preservation of wooded area outside parkland dedication.
- Increased Avery Road/Hayden Crossing setbacks

Z14-010 – Subarea 3 (6 acres CPD).

Land Use – Proposal depicts CPD for entire area that is designated for riparian buffer and low-density residential. Floodway/floodplain is noted on site map.

General Development Standards (current conditions cited).

- Adjust site map to reflect riparian buffer of 150' from centerline, floodway, or DPU protection zone - whichever is larger.
- Greater setback along Hayden Run Road (proposal is 0' parking in each case)
- Commitment regarding parking in relationship to buildings/road
- Commitment not to back buildings to Avery/Hayden Crossing
- Eliminate 60' height district request.
- Clarify intent on "potential" parkland.

Signs: Not addressed. Current conditions cited.

Lighting: Design not addressed. Current conditions cited.

Landscaping: Submit landscaping plan(s) with emphasis on:

- Requested variance to parking lot screening (current conditions cited).
- Preservation of riparian buffer.
- Increased Avery Road/Hayden Crossing setbacks

Hayden Run: Increased Hayden Run Stream and Road setbacks

Text shown in black was provided in reaction to March submission. Red text is updated text in reaction to December submission.

HAYDEN RUN PLAN		ZONING PROPOSAL		
GENERAL AREA	SUBAREA 1	SUBAREA 2	SUBAREA 3	
Avery Road corridor is addressed as a part of the East Subarea in the 2004 Interim Hayden Run Corridor Plan – see pages 62-65.	CPD designation proposed for 44+ acre area. C4/C5 uses permitted with itemized exceptions. Automotive repair previously excluded, not allowed.	LAR1 designation proposed for 57+ acre area. Capped at 1200 units	CPD designation proposed for 6+ acre area. C4 uses permitted with itemized exceptions (more than subarea 1). Updated text allows additional uses in this area.	
	If build-out were to occur at approximately 10,000 sf per acre, this site could accommodate over 400,000 sf of commercial uses.	1200 unit cap equates to 21 du/acre gross subarea density.	Potential build-out difficult to determine due to presence of floodway and road setbacks.	
LAND USE PROVISIONS (p. 62-65)	SUBAREA 1	SUBAREA 2	SUBAREA 3	
Community Commercial: Western portion of subarea 1 south of proposed Hayden Boulevard is recommended as community commercial.	Approximately 40% of subarea 1 is consistent with the plan.	NA	NA	
Neighborhood Center: Eastern portion of subarea 1 and all of the area north of Hayden Boulevard is recommended as neighborhood center, which is predominantly multi-family residential but does allow small scale commercial uses in keeping with TND standards.	This portion of the subarea is inconsistent with the plan.	NA	NA	
Community Commercial: Northwest corner of subarea 2 is recommended as community commercial.	NA	This portion of the subarea is inconsistent with the plan.	NA	
Neighborhood Center: Northeast corner of subarea 2 is recommended for neighborhood center which is predominantly multi-family residential but does allow small scale commercial uses in keeping with TND standards.	NA	This portion of the subarea is consistent with the plan in terms of use, but not density or standards. The plan calls for application of the TND Neighborhood Center District standards to development in this area.	NA	
Community Center/School: Majority of subarea 2 (approximately 80% is designated for a 45 acre combination park, recreation and school site. The plan also mentions the potential for this location to host a library branch.	NA	This portion of subarea is partially compliant with the land use recommendation. Proposed park area substantially smaller than plan outlines, but city acquisition has not taken place. Proposed dedication contains significant floodway/floodplain. Details regarding nature of dedication and use of park for utility easements, etc. require clarification.	NA	
Riparian Buffer: Plan depicts and recommends a buffer on both sides of Hayden Run to be a minimum width of 150' from the stream centerline or the floodway – whichever is greater.	NA	Hayden Run buffer is contained in land depicted as “potential parkland” on proposed subarea map. A substantial portion of this site is floodway.	Partially Consistent: Subarea 3 includes both floodway and floodplain. While these designations exceed the plan’s proposed 150' buffer in some areas, they are far narrower in others.	
Low-Density Cluster Residential: Plan proposes that area south of Hayden Run, but outside riparian buffer be low-density (up to 3 du/acre) cluster residential.	NA	NA	Commercial designation recognizes existing use, but inconsistent with plan provision for longer term.	
GENERAL DEVELOPMENT STANDARDS (p. 68)	SUBAREA 1	SUBAREA 2	SUBAREA 3	
Neighborhoods and commercial campuses should have an identifiable heart or focus.	No internal site plan provided. Updated text reflects developer’s intent to create a “cohesive town center appearance.” Not enforceable. Interpretation challenges. .	No internal site plan provided. Broad site plan and text do reflect an approximately 2 acre neighborhood green – location to be determined. No depiction of internal roadway network, etc. in relationship to proposed green is provided.	NA	
Open space should be used in one or more of the following way:	Not addressed. No site plan or text commitments regarding this issue provided. Illustration provided	No internal site plan provided. Broad site plan and text do reflect an approximately 2 acre neighborhood green –	Not addressed. No site plan or text commitments regarding this issue provided, although DPU stream	

<ul style="list-style-type: none">Organizational elementCenter focusTo protect and connect recreational and natural spacesScenic buffer along roadways	regarding landscaping of 15’ parking setbacks from Hayden Crossing and Avery ROW. Unenforceable mention is made of reasonable efforts to protect environmentally sensitive areas.	location to be determined. No depiction of internal roadway network, etc. in relationship to proposed green is provided. Staff notes wooded area at southeast corner of subarea to the north of the proposed park dedication.	corridor protection zone provisions will apply.
Vistas of 600 feet or more should terminate with a building or open space.	Not addressed. No site plan or text commitments regarding this issue provided.	Not addressed. No site plan or text commitments regarding this issue provided.	NA
Parking should be located to the rear or sides of buildings when possible.	Not addressed. No site plan or text commitments regarding this issue provided. Unenforceable text mentions “promotion” of parking to side and rear within outlots. Defers to end user.	No site plan or text commitments regarding this issue provided. Unenforceable text mentions location of parking at side or rear of buildings where “possible/feasible.”	Inconsistent. Parking setback of 0 is requested.
All new wiring should be locating underground.	Commitment reflected in updated text.	Commitment reflected in updated text.	Undetermined, but likely.
Buildings do not back onto streets (except for alleys and lanes).	Not addressed. No site plan or text commitments regarding this issue provided.	Updated text commitment that buildings will front the green, Buildings will be oriented to front (or have front like facades) toward Avery Road and parkland dedication to the south. No depiction of internal circulation or commitment regarding building orientation to such streets.	Not addressed. No site plan or text commitments regarding this issue provided.
Buildings should not exceed three stories in height	TBD (35’?)	Not compliant – 60’ height district requested (35’ within 100’ of adjacent residential).	TBD (35’?)
Pedestrian and/or bicycle connections should be provided along roadways as well as within residential and commercial developments.	Sidewalks required by code and referenced in text. Bicycle connections undetermined. Subarea plan depicts one street connection and one ped/bike connection between subareas 1 and 2. Both locations subject to modification. Given the scale of this development, staff considers this provision inadequate.	Sidewalks required by code and referenced in text. Text commits to provision of a ped/bike connection between central green (location TBD) and parkland dedication area to be provided via alignment TBD. Subarea plan depicts one street connection and one ped/bike connection between subareas 1 and 2. Both locations subject to modification. Given the scale of this development, staff considers this provision inadequate.	No reference made to sidewalks. Code provisions would apply.
SIGNS (p. 69)	SUBAREA 1	SUBAREA 2	SUBAREA 3
NOTE: These standards are commended for implementation in non-TND areas.	Text allows application of graphics code in lieu of a graphics plan.	Not addressed.	Not addressed. Current conditions to remain in place.
All ground signs should be monument-style with masonry bases constructed of stone, brick or to match the architectural material of the building.	Text allows application of graphics code in lieu of a graphics plan. Text indicates that sign bases will be compatible with the buildings and structures in the subarea. Difficult to verify in the absence of graphics plan.	Not addressed.	Not addressed. Current conditions to remain in place.
Ground signs should not exceed the height of 10 feet.	Text commits to graphics plan or application of graphics code. The latter would not restrict height to 10’	Not addressed.	Not addressed. Current conditions to remain in place.
Ground signs should not exceed 50 square feet in area. (May be double sided)	Text commits to graphics plan or application of graphics code. The latter would not restrict area to 50 sf’	Not addressed.	Not addressed. Current conditions to remain in place.
Wall signs should not exceed 80 square feet in area.	Text commits to graphics plan or application of graphics code. The latter would not restrict area to 80 sf	Not addressed.	Not addressed. Current conditions to remain in place.
Commercial centers may have only one larger ground sign identifying the center. Sign should reflect architecture of buildings.	Text allows three ground signs plus and code permitted signs for outlots.	Not addressed.	Not addressed. Current conditions to remain in place.
Commercial centers should provide a graphic plan that governs wall signs for individual businesses.	Text allows application of graphics code in lieu of a graphics plan.	Not addressed.	Not addressed. Current conditions to remain in place.
Commercial center wall signs locations should be incorporated into the building architecture.	Text allows application of graphics code in lieu of a graphics plan. Difficult to verify in the absence of graphics plan.	Not addressed.	Not addressed. Current conditions to remain in place.

Signs should be internally or externally illuminated if focused only on sign. Ground mounted external illumination should be screened with landscaping.	Commitment reflected in updated text.	Not addressed.	Not addressed. Current conditions to remain in place.
No off-premises graphics should be permitted.	Text prohibits billboards.	Prohibited by code?	Text refers to subarea 1 uses, which also include excluded uses – billboards being among them.
LIGHTING (p. 70)	SUBAREA 1	SUBAREA 2	SUBAREA 3
Attractive, architecturally compatible lighting fixture should be adopted for uniform use within developments.	Text commits to colors being black, dark brown or bronze in color. Text also indicates fixtures will be coordinated with overall architectural scheme of subarea.	No information provided.	Not addressed. Current conditions to remain in place.
Fixture compatibility between developments is desirable.	Text commits to colors being black, dark brown or bronze in color. Text also indicates fixtures will be coordinated with overall architectural scheme of subarea.	No information provided.	Not addressed. Current conditions to remain in place.
Residential streetlights should be post-top style decorative fixtures that do not exceed a height of 15 feet.	NA	No information provided.	Not addressed. Current conditions to remain in place.
Maximum non-residential lighting fixture height should be 28 feet.	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.
Cut-off type fixtures (down lighting) should be incorporated to minimize spillage on adjacent sites.	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.
All new wiring should be underground.	Commitment reflected in updated text.	Not addressed.	Not addressed. Current conditions to remain in place.
Outdoor lighting fixtures should be equipped with automatic timing devices that shut lights off when not needed.	Not addressed.	Not addressed.	Not addressed. Current conditions to remain in place.
LANDSCAPE (p. 71)	SUBAREA 1	SUBAREA 2	SUBAREA 3
A landscaping plan incorporating the corridor plans standards should be submitted for each development proposal.	Cross-section of typical Hayden Run Boulevard setback provided. Text reflects tree plantings/mounds along both Hayden and Avery. No landscaping plan or interior commitments made.	None submitted.	Not addressed. Current conditions to remain in place.
Reasonable efforts should be made to preserve existing trees and hedgerows in the planning area. Trees in excess of six inch caliper that are removed during construction should be replaced.	NA	Partially addressed. Parkland dedication proposed for southern portion of subarea. Additional mature tree cluster just to the north not reflected as a protected area.	Not addressed. Current conditions to remain in place.
Parking lots abutting road frontages should be screened with a wall, earth mound or hedge 36 inch minimum height measured from the parking lot elevation that will reach 75% opacity within five years.	Addressed by code	Parking between Hayden Crossing and building setback is prohibited in text.	Variance requested. Current conditions to remain.
Additional ornamental plantings to add variety are encouraged.	Cross-section of typical Hayden Run Boulevard setback provided. Text reflects tree plantings/mounds along both Hayden and Avery. No landscaping plan or interior commitments made.	No landscape plan submitted.	Not addressed. Current conditions to remain in place.
Parking lots should include tree-planting islands at a rate of one tree per ten parking spaces.	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.
In parking lots exceeding 60 spaces trees should be located in curbed landscape islands that contain a minimum of 100 square feet in area.	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.
Minimum of five percent of vehicular use area should be incorporated into planting islands.	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.
Street Trees should be provided on all public and private streets as approved by the City Forester.	Text commits to trees along Hayden and Avery. Otherwise not addressed.	Text commits to trees along Avery and Hayden Crossing Blvd (which is not in this subarea). Otherwise not addressed.	Not addressed. Current conditions to remain in place.
All single trunk trees should be a minimum of two inch caliper.	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.
All plant material should be maintained in healthy condition and	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.

replaced as needed.			
Best management practices should be employed to protect existing trees during the construction process.	NA	Typically not incorporated in zoning.	Typically not incorporated in zoning.
More intense uses should be buffered from less intense uses.	Entire subarea allows C4/C5 uses with some limitations. A 25' parking/building setback with 6' tall fence is reflected in text for area adjacent to residential at northeast corner.	Entire area allows AR-1uses.	Entire subarea allows C4 uses with limitations.
Dumpsters should be screened on three sides by fencing and vegetation with the dumpster opening not visible from major roadways.	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.
Commercial loading areas should be fully screened and shall not face major roadways.	Addressed by code	Addressed by code	Current conditions to remain. Code would apply in future.
HAYDEN RUN STREAM (p. 72)	SUBAREA 1	SUBAREA 2	SUBAREA 3
Establish a minimum natural buffer for new development of the entire floodway or 150 feet (as measured from centerline on each side), whichever is greater along Hayden Run. This buffer should be expanded wherever possible.	NA	Park dedication proposed for buffer area. Details regarding nature of dedication and use of park for utility easements, etc. require clarification.	Partially consistent. Site plan and text commit to a no-build zone that corresponds to the floodway. The plan recommends a buffer of 150' from the centerline or the floodway – whichever is greater. The no-build zone is substantially less than 150' wide for much of the length.
A pedestrian/bikeway trail should be located within this buffer.	NA	CRPD will make determination.	CRPD will make determination.
Best management practices should be observed during the construction process to protect the quality of the stream water.	NA	Typically not incorporated in zoning.	Typically not incorporated in zoning.
Development along Hayden Run Road east of the neighborhood commercial center at Leppert Road should be set back from the right-of-way and landscaped in a manner to maintain the scenic quality of the road.	NA	NA. Park dedication proposed for buffer area.	Not addressed. No site plan or text commitments regarding this issue provided